



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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MAY 23 2012

Ref: EPR/N

Mr. Vaughn Baker, Superintendent
Rocky Mountain National Park
National Park Service
1000 U.S. Highway 36
Estes Park, CO 80517-8397

Re: Grand Ditch Breach Restoration Draft
Environmental Impact Statement

Dear Mr. Baker:

The U.S. Environmental Protection Agency (EPA) Region 8 has reviewed the Grand Ditch Breach Restoration Draft Environmental Impact Statement (EIS) prepared by the National Park Service (NPS). Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609. It is the EPA's responsibility to provide an independent review and evaluation of the potential environmental impacts of this project, which includes a rating of the environmental impact of the proposed action and the adequacy of the NEPA document.

Based on the EPA's procedures for evaluating potential environmental impacts on proposed actions and the adequacy of the information present, the EPA is rating the Preferred Alternative (i.e., Alternative D) a LO – Lack of Objections. A copy of EPA's rating criteria is attached.

Project Background and Description

The Grand Ditch is a 15-mile water diversion project, completed in 1937, in the Never Summer Mountains in the northwest region of Rocky Mountain National Park in Grand County, Colorado. Streams and creeks that flow from snow runoff on the eastern side of the Never Summer Mountains are diverted into the ditch, which flows over the continental Divide at La Poudre pass and delivers approximately 30,000 acre feet of water annually into the Cache La Poudre River. On May 30, 2003, a 100-foot section of the Grand Ditch breached its bank about 2.4 miles south of La Poudre Pass and approximately 22 acres and 1.5 miles of stream, riparian, upland and wetland habitat were injured. The estimated 47,600 cubic-yard debris flow resulted in channel morphologic changes, deposition of a large debris fan, increased sedimentation along the Colorado River, altered aesthetics of a wilderness area and tree mortality and scarring.

The purpose of the Grand Ditch Breach Restoration project is to restore the following:

- Stream hydrological and groundwater processes,
- Native plant communities,
- Stability of the hillside below the breach,
- Wilderness character of the area,
- Wildlife habitat,
- Aquatic habitat and
- Water quality in the affected area and downstream.

Restoration activities would take place during working hours for up to 3 months from June through September over a 2 to 3-year period. These would include: stabilizing banks through revegetation and re-contouring, removing debris from the alluvial fan and along the Colorado River, reconnecting the channel to the floodplain, creating terraces with debris and restoring the alluvial fan in one channel. Resources would be monitored for at least 20 years after the area has been restored.

Project Alternatives and Impacts

Five alternatives were analyzed in the Draft EIS – the no action and four action alternatives, ranging from minimal to maximum restoration. The NPS preferred alternative, Alternative D, was developed to achieve a high level of ecological restoration in a relatively short time. Alternative D is a composite of the other action alternatives that combines the most effective actions that could be accomplished within the project budget.

In the summer of 2003, Rocky Mountain National Park conducted surveys to assess the extent of damage generated by the breach. Following the settlement in 2006 of a civil lawsuit against the owners of the Grand Ditch, Water Supply and Storage Company, additional assessment work was conducted by park and Colorado State University researchers to refine knowledge of the area's current hydrology including stream hydrology, sediment transport, surface water-groundwater interactions and groundwater elevations. They compared these processes with those in nearby reference reaches (i.e., areas that had not been impacted by the breach).

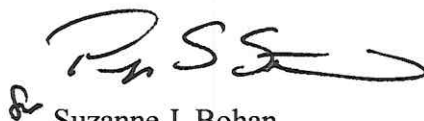
The DEIS provided a good description of the methods, assumptions and impact thresholds used to analyze the project's direct and indirect impacts to natural resources, allowing the reader to quickly understand the basis for comparing the alternatives. Generally, the action alternatives would cause major short-term adverse impacts, but would ultimately create long-term beneficial impacts to natural resources.

Water Resources: There would be major short-term adverse impacts to water quality during restoration phases with Alternative D. However, long-term water quality conditions would experience a moderate beneficial improvement as restoration actions took effect. Alternative D would modify about 3,100 linear feet of bank and channel sides to protect sediment deposits from extensive slumping in the channels and eroding, and, if assessment assumptions are correct, returning the wetland surface and groundwater hydrologic conditions to pre-breach conditions.

Wetlands: Alternative D would have short-term, local, major adverse impacts on about 8.7 acres of wetland, stream channel and associated riparian areas due to the removal of sediment and existing wetland plants. However, the indirect effects of the restoration activities would beneficially affect a larger portion of the wetlands because suitable hydrology would be established. In addition, rerouting the Colorado River to return it to its historic channel and establishing and fencing off a large area to protect tall willow development from browsing elk and moose would result in long-term, local, substantial beneficial cumulative effects on wetlands.

Thank you for the opportunity to provide comments on the Draft Environmental Impact Statement for the Grand Ditch Breach Restoration Draft EIS. If you have any questions, please feel free to contact me at 303-312-6925 or the lead reviewer of this project, Carol Anderson, at 303-312-6058.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. S. Bohan', with a small 'R' to the left.

Suzanne J. Bohan
Director, NEPA Compliance and Review Program
Ecosystems Protection and Remediation

cc by email: romo_superintendent@nps.gov

Enclosure/Attachment: EPA's Rating Systems for Draft Environmental Impact Statements



U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

Definitions and Follow-Up Action*

Environmental Impact of the Action

LO -- Lack of Objections: The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC -- Environmental Concerns: The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO -- Environmental Objections: The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU -- Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 -- Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 -- Insufficient Information: The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new, reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 -- Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

